

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

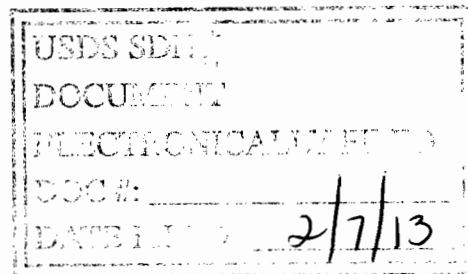
KYLE PIPPINS, JAMIE SCHINDLER, and EDWARD
LAMBERT, Individually and on Behalf of all Others
Similarly Situated,

Plaintiffs,

-against-

KPMG LLP,

Defendant.



No. 11 Civ. 0377 (CM) (JLC)

ORDER REINSTATING FINAL JUDGMENT

McMahon, J.:

On December 28, 2012, Plaintiffs filed a motion for reconsideration, asking the Court to exercise CAFA jurisdiction, or in the alternative, supplemental jurisdiction, over Plaintiffs' NYLL claims. Plaintiffs now concede that KPMG has adequately shown that two-thirds of the putative NYLL class members are New York residents, and that therefore the "home-state" exception to CAFA jurisdiction applies in this case. Since there is no CAFA jurisdiction over the NYLL claims, I am reinstating the judgment for Defendant (Docket No. 349) as originally entered.

The motion for reconsideration (Docket No. 354) is denied, and the motion for entry of partial final judgment (Docket No. 357) is denied as moot. The Clerk of the Court is directed to close the file.

Dated: February 7, 2013

A handwritten signature in black ink, appearing to read "Peter M. McMahon".

U.S.D.J.

BY ECF TO ALL COUNSEL